



Order 96-3-53

Served March 29, 1996

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation  
on the 25th day of March, 1996

Agreements Adopted by the Traffic  
Conferences of the International Air  
Transport Association

Docket OST-95-956  
CAB Agreement 1175

**ORDER**

The International Air Transport Association (IATA) has filed two amendments to the IATA Articles of Association for approval and grant of antitrust immunity under sections 41308 and 41309 of Title 49 of the United States Code and Part 303 of the Department of Transportation's (DOT) regulations (14 CFR Part 303).

The first amendment in Docket OST-95-956 replaces the designation "Executive Committee" with "Board of Governors" throughout the Articles. The amendment is administrative in nature and does not raise any competitive issues adverse to the public interest.

The second amendment, which applies only to those regions with less than three seats on the Board of Governors, provides for the election of alternate members to the Board to ensure adequate attendance at Board meetings. This amendment is also administrative in nature and does not raise any competitive issues adverse to the public interest.

Section 41309 directs us to approve any agreement or modification of an agreement if we do not find it to be adverse to the public interest or in violation of the statute. We find that the amendments in Docket OST-95-956 are not adverse to the public interest, in violation of the statute, or likely to lessen competition substantially and that they should be approved.

Furthermore, we conclude that the approved amendments should be granted immunity from the operation of the antitrust laws to the extent necessary to permit their implementation. The amendments are administrative in nature and do not raise immunity issues not previously considered. Conferring immunity upon them is consistent with our policy of conferring immunity on amendments coextensively with the underlying agreements.

**Accordingly,**

1. Subject to the Department's final decision in Docket 46928, we approve the amendments submitted in Docket OST-95-956 to the International Air Transport Articles of Association relating to designation of "Board of Governors" in lieu of "Executive Committee" and to Article IX (2) (a) under 49 USC section 41309; and
2. We exempt any person affected by this order from the operation of the antitrust laws, as provided in 49 USC section 41308.

By:

Charles A. Hunnicutt  
Assistant Secretary for Aviation  
and International Affairs

(SEAL)

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